

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SEAPLANE ENTERPRISES LLC, et al.,)	Civil Action No. 23-10707-FDS
)	
Plaintiffs,)	
v.)	
CHEN TSUI TUE, et al.,)	Defendants.
)	
)	
)	

ORDER CONCERNING COMPLIANCE WITH FED. R. CIV. P. 7.1

SAYLOR, C.J.

Rule 7.1 of the Federal Rules of Civil Procedure, as amended effective December 1, 2022, provides in part as follows:

(a) Who Must File; Contents.

...

(2) Parties or Intervenors in a Diversity Case. In an action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a), a party or intervenor must, unless the court orders otherwise, file a disclosure statement. The statement must name—and identify the citizenship of—every individual or entity whose citizenship is attributed to that party or intervenor:

- (A)** when the action is filed in or removed to federal court, and
- (B)** when any later event occurs that could affect the court's jurisdiction under § 1332(a).

(b) Time to File; Supplemental Filing. A party, intervenor, or proposed intervenor must:

- (1)** file the disclosure statement with its first appearance, pleading, petition, motion, response, or other request addressed to the court; and
- (2)** promptly file a supplemental statement if any required information changes.

In this matter, subject-matter jurisdiction is based on diversity of citizenship under 28 U.S.C. § 1332(a). The parties have failed to file such disclosures as required by the amended rule.

Accordingly, plaintiff Seaplane Enterprises LLC, defendant Avis Budget Car Rental LLC, and defendant Mercury Insurance Services LLC are hereby ORDERED to file a disclosure statement that complies with Rule 7.1 within 14 days of the date of this Order (that is, by June 20, 2023).

The parties are reminded that limited liability companies are treated like partnerships, not corporations, for purposes of determining their citizenship under § 1332(a), and therefore the citizenship of each of their members must be considered when determining whether diversity exists.

Failure to comply with this Order may lead to remand to the Superior Court for lack of proof of subject-matter jurisdiction.

So Ordered.

Dated: June 6, 2023

/s/ F. Dennis Saylor IV
F. Dennis Saylor IV
Chief Judge, United States District Court